IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

RONDALL CLYDE MIXSON,	)	**CASE NO. 7:11CV00308**
	)	
Petitioner,	)	
	)	**FINAL ORDER**
vs.	)	
	)	
WARDEN,	)	**By: Glen E. Conrad**
	)	**Chief United States District Judge**
Respondent.	)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the motion to dismiss (ECF No. 5) is **GRANTED**, the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 30th day of September, 2011.

/s/ Glen E. Conrad
Chief United States District Judge